

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

IN RE: James Edward Peters, Jr. * Case No. 07-13619RAG

Debtor.

Chapter 7

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**DEBTOR'S OMNIBUS OBJECTION TO
UNSECURED CLAIMS NUMBER 4, 6 AND 9 AS
FILED BY CAPITAL ONE BANK c/o TYS DEBT MANAGEMENT**

James Edward Peters, Jr.(the "Debtor"), through the under-signed counsel, and in response to Claims #4, 6 and 9 filed by Capital One Bank c/o TYS Debt Management, (the "Claimant ") pursuant to Rule 3007 files this Omnibus objection on the following basis:

1. That the Claimant filed the three above referenced Proofs of Claim on December 6, 2007 that were entered thereafter as Claims #4, 6, and 9 (the "Claims").
2. That on May 9, 2007 the Court entered a Notice of Need to File Proof of Claim due to recovery of assets and set the deadline to file for August 7, 2007.
3. That the Notice specifically states that creditors who do not file a proof of claim on or before this date will not share in any distribution from the debtor's estate.
4. The claims filed by Claimant were not timely filed and should be disallowed in their respective entireties.

THAT NOTICE IS HEREBY GIVEN TO CLAIMANT THAT WITHIN 30 DAYS OF THE DATE ON THE CERTIFICATE OF SERVICE OF THE OBJECTION THE CLAIMANT SHALL FILE AND SERVE A RESPONSIVE MEMORANDUM OPPOSING THE OBJECTION AND SHALL REQUEST A HEARING IF DESIRED, UNLESS THE CLAIMANT WISHES TO RELY SOLELY UPON IT'S PROOF OF CLAIM; AND THAT A HEARING MAY BE HELD AT THE COURT'S DISCRETION.

WHEREFORE, the Debtor respectfully requests that this Honorable Court:

- A. Disallow the Proofs of Claim number 4, 6 and 9 as filed by Capital One Bank c/o TYS Debt Management in the respective amounts of \$1,437.05 (Claim#4), \$15,289.98 (Claim #6) and \$3,922.35 (Claim #9) in their respective entireties.
- B. Such other and further relief as this Court may deem appropriate.

Respectfully submitted,

February 27, 2009

_____/s/_____
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